

REMARKS

In the Office Action mailed August 19, 2008 the Office noted that claims 17-36 were pending and rejected claims 17-36. Claims 17 and 28 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 17-36 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

OBJECTION TO THE SPECIFICATION

The disclosure stands objected to for informalities. In particular, the Office asserts that the Title is not indicative of the claims.

The Specification has been amended to include a new title.

Withdrawal of the objection is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 17, 20 and 21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hirano, U.S. Patent No. 2004/0247278. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Hirano discusses a system to reduce the number of base stations and handover number and secure a communication feasible area to prevent a break of communication between a mobile body side and a ground side by transmitting the handover on the ground

side equipment.

Claim 17 has been amended to further, recite "wherein upon the station apparatus other than the station apparatus located front-most in the moving direction of the mobile body moves out of contact of a prior access point, the information acquired at the time of retrieving the access point apparatus to which the station apparatus located front-most in the moving direction of the mobile body is adapted to belong is used to connect the station apparatus other than the station apparatus located front-most in the moving direction to the access point apparatus without performing a scan." Support for the amendment may be found, for example, on page 21, lines 25-29 of the Specification. The Applicant submits that no new matter has been added by the amendment of claim 22.

Hirano does not teach such a feature. Quite to the opposite, Hirano ¶ 0075 discusses the change being forced **before** the second external communication means is out of range of the first communication area, the update being sent across the wired network to the first car. Such a feature is entirely different than the second car because it has moved out of one cell using information of a first car to update which cell it will use. It is clear in Hirano, this change is always made when the first station enters a new cell.

Further, for reasons discussed below, Moelard does not teach such a feature.

For at least the reasons discussed above, claim 17 and the claims dependent therefrom are not anticipated by Hirano.

On pages 3 and 4 of the Office Action, it is asserted that Hirano, ¶¶ 0074 and 0075 disclose "when two or more than two station apparatus are located front-most in moving direction," as in claim 21.

Thus, the claim requires "two station apparatus in the front-most car." However, Hirano, ¶¶ 0074 and 0075 discuss only one station apparatus in the front most car. For example, Hirano, ¶ 0075 states "the first external communication means 33 is capable of communication in the second communication feasible area, the second external communication means 33 is capable of communication in the first communication feasible area." Thus, at most, one station apparatus (i.e first external communication means 33") is located in the front most car in Hirano.

Without reading the Specification or drawings into the claims, with reference to Fig. 18 of the present Application, there is shown two station apparatus (i.e. as recited in the claims) in the front-most car (i.e. 31 and 33) This is compared to Hirano Figs. 8a-8d where only at most one station 33 is shown in the front car.

For at least the reasons discussed above, claim 21 is not anticipated by Hirano.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 28 and 31 stand rejected under 35 U.S.C. § 103(a) as being obvious over Hirano. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Claim 28 has been amended in a manner consistent with claim 17. For at least the reasons discussed above, claim 28 and the claims dependent therefrom are patentably distinct from Hirano.

Claims 18, 19, 29 and 30 stand rejected under 35 U.S.C. § 103(a) as being obvious over Hirano in view of Syed, U.S. Patent No. 6,845,230. The Applicant respectfully disagrees and traverses the rejection with an argument.

Syed adds nothing to the deficiencies of Hirano as applied to the independent claims. Therefore, Hirano and Syed, taken separately or in combination, fail to render obvious the features of claims 18, 19, 29 and 30.

Claims 22-27 and 32-36 stand rejected under 35 U.S.C. § 103(a) as being obvious over Hirano in view of Moelard, U.S. Patent No. 5,636,217. The Applicant respectfully disagrees and traverses the rejection with an argument.

Moelard discusses a system that stores in access points information about mobile stations and forwards data bound for an original destination access point to another if the mobile station moves from the original destination access point to the

other access point.

On pages 8 and 9 of the Office Action, it is asserted that "the station apparatus other than the station apparatus located front-most in the moving direction of the mobile body being adapted to refer to the information stored by the front-most station apparatus in the storage means prior to retrieving an access point apparatus to be belonging to, as in claim 22.

However, Hirano, ¶ 0075, lines 8-14 state

The handover is, for example, conducted by sending information in relation to the handover to the first communication feasible area via the second external communication means 33, processing the handover on the ground side, and letting the first external communication means 33 receive the processing result via the second communication feasible area.

Thus, in Hirano the first external communication means (i.e. station apparatus located front-most as in the claims) send the data to the second external communication means. It is not retrieved by the second external communication means, as in Hirano, the data is always sent so that the switch is forced before the second external communication means is no longer in contact with the first communication feasible area (see Hirano, ¶ 0075, lines 14-18). In the present claim the other than station apparatus located front-most retrieves this data when it determines that an access point switch needs to be made. Not as in Hirano, where the switch is made or forced by the first external communication means broadcasting the switch.

Further, Moelard does not teach such a feature as in

Moelard, the switch is not made by the station requesting from another station, information about the first station access point, but by receiving the information from the access point which is a different thing (see (d) and (e) of claim 8 of Moelard).

Claim 32 recites features similar to those of claim 22. Therefore, Hirano and Moelard, taken separately or in combination, fail to render obvious the features of claims 22 and 32 and the claims dependent therefrom.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 102 and 103. It is also submitted that claims 17-36 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/James J. Livingston, Jr./

James J. Livingston, Jr.
Reg. No. 55,394
209 Madison St, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JJL/lk